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Follow-up to the outcome of the Millennium Summit

Concept note on the global food crisis and the right to food

Note by the President of the General Assembly

The President of the sixty-third session of the General Assembly has the honour to transmit to Member States as a document of the Assembly the present concept note on "The Global Food Crisis and the Right to Food" prepared by the Special Rapporteur on the right to food, Professor Olivier De Schutter (Belgium).

Members will recall that the concept note was circulated as an input for the interactive thematic dialogue of the General Assembly on the global food crisis and the right to food, held on 6 April 2009. The interactive dialogue featured high-level experts from different disciplinary fields, including economics, agronomics and agroecology, including the Special Rapporteur, Professor De Schutter. It also included a representative from La Via Campesina, the world's largest organization of small farmers and peasants.

To facilitate the dialogue between Member States and guest speakers, the distinguished panellists were encouraged to consider the following questions:

- What are the main causes of the large-scale violations of the right to food in a world in which wealth is abundant?
- What initiatives should the international community take in order to achieve the target of the first Millennium Development Goal of halving the proportion of people who suffer from hunger and put an end to the violations of the right to food? Specifically, how should the international environment be shaped in order to attain this objective?
- Is the current organization of the food production and distribution system equipped to meet the challenge of food insecurity in the future, taking into account, in particular, the impact of climate change on our ability to produce

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food? In which direction should agricultural production develop in order to feed the planet, taking into account the increasing demand for agricultural commodities?

- Is the global governance of the food production and distribution system adequate to combat hunger effectively? If not, which changes should be recommended?

These questions provide a useful framework for examining the multiple and complex challenges Member States and our Organization face in developing appropriate institutional and policy responses to the global food crisis, the Millennium Development Goals and the efforts to eradicate hunger.

Statements by Member States and panellists at the interactive thematic dialogue on the global food crisis and the right to food are available on the website of the President of the sixty-third General Assembly.

Interactive thematic dialogue of the General Assembly on the global food crisis and the right to food: concept note

Trustreeship Council Chamber
6 April 2009
United Nations Headquarters, New York

I. Background

1. During the past year, the world has experienced a dramatic increase in food prices on the international markets. During the first three months of 2008, international nominal prices of all major food commodities reached their highest levels in nearly 50 years, while prices in real terms were the highest in nearly 30 years. As a result, social unrest developed in over 40 countries. The number of hungry people increased dramatically in 2007-2008: approximately 970 million people are hungry today, compared with 848 million in 2003-2005. It is very likely that this number will not diminish as a result of lower prices in the immediate future, especially since a return to lower prices means that one of the most vulnerable groups, small-scale farmers, who constitute 50 per cent of the hungry, will be even further marginalized and, in some cases, forced to abandon farming.

2. For many families, particularly in developing countries, the sharp increases have made food unaffordable, leading them to cut back on spending on education or health; to switch to less varied diets; or to have fewer meals. But the crisis reaches much further and is much deeper than the question of prices alone would suggest. The crisis has illustrated the unsustainability of a global food system that may be good at producing large amounts of food but which is neither socially nor environmentally sustainable: while the incomes of small-scale farmers in developing countries are below subsistence levels, often leaving them no other option but to leave their fields and seek employment in cities. The current methods of agricultural production deplete the soil, produce large amounts of greenhouse gases and use vast quantities of water, threatening food security in the long term and making the repetition of crises such as the one we have seen unavoidable if we do not act decisively.

3. As a result of the global food crisis, Governments have made the improvement of the global agricultural and food systems a priority on the international agenda, and international agencies have taken a number of initiatives to assist their efforts at the national level.

4. In an attempt to devise a unified response to the global food crisis, the decision was taken, at the meeting of the United Nations System Chief Executives Board for Coordination, held in Bern on 28 and 29 April 2008, to establish a High-level Task Force on the Global Food Security Crisis, chaired by the Secretary-General. The Task Force, the membership of which includes relevant United Nations agencies, funds and programmes, the World Bank, the World Trade Organization and the International Monetary Fund, held its first meeting on 12 May 2008. In July 2008, it adopted a comprehensive framework for action representing the consensus view of the agencies involved in how immediate short-term needs should be met and the longer-term global strategy to ensure food security. Within that framework, the Task Force is now assisting Governments in identifying ways to improve their resilience

in the face of prices of agricultural commodities, which will remain high in the next few years and which, especially owing to the impact of climate change on agricultural production, will be more volatile than in the past.

5. A number of high-level intergovernmental events also took place in 2008. These included a special session of the Human Rights Council on 22 May, the first session to be dedicated to a thematic (namely, non-country-specific) issue, and the first session on a social right. The Economic and Social Council also devoted a special meeting to the issue on 22 and 23 May. From 3 to 5 June, the High-level Conference on World Food Security: the Challenges of Climate Change and Bioenergy was convened in Rome, under the auspices of the Food and Agriculture Organization of the United Nations (FAO). The General Assembly held two informal meetings on the global food crisis on 29 May and 18 June and a plenary meeting on the global food and energy crises on 18 July. The Third Committee of the General Assembly held an interactive dialogue with the Special Rapporteur on the right to food, Professor Olivier De Schutter, on 27 October, during which the rights-based approach to the global food crisis was debated. In December 2008, the General Assembly adopted a resolution on the right to food (resolution 63/187), in which, inter alia, it recalled the human rights obligations of States in the context of the worsening food crisis.

6. On 10 September 2008, the Special Rapporteur on the right to food presented a report to the Human Rights Council on the global food crisis (A/HRC/9/23), following the request expressed by the Council at its special session on the issue. The report is premised on the idea that the crisis is the result of the insufficient purchasing power of those affected, imbalances of power in the food production and distribution chain and the disempowerment of the poor and marginalized segments of society. It argues that these factors can be addressed by solutions that are guided by the recognition of the human right to adequate food, and that solutions aimed only at increasing the volume of food produced will not be sustainable if such factors are not dealt with. In sum, the message of the report is that food insecurity is not a technical problem but a political one. The concluding recommendations reflect this conviction.

7. A number of Governments expressed support for these recommendations and agreed with the analysis presented in the report. At the same time, as a result of the financial crisis and the declining prices of agricultural primary commodities on the international markets, the international community's determination to tackle the structural factors behind the food crisis may be weaker now than in June 2008. However, simply returning to business as usual would be a serious mistake, with potentially far-reaching consequences.

8. The above report emphasized that the solution is not simply to boost production and thereby lower prices — it is to reduce the gap between the farmgate prices and the prices paid by the consumer and to combat the volatility of prices on both international and domestic markets by appropriate government regulation of prices. The consequences of continuing volatility will be devastating. Governments need to act decisively on this issue. Failure to do so would mean not only that the number of victims of the violation of the right to food will remain at unacceptably high levels, but that, in addition, we will have no protection from future shocks.

9. The debate over what needs to be achieved at the national and international levels will continue through 2009. On 26 and 27 January 2009, the Government of

Spain and the Secretary-General convened the High-level Meeting on Food Security for All to assess the follow-up to the commitments made at the Rome High-level Conference of 3 to 5 June 2008 and to launch discussions on a new Global Partnership for Agriculture, Food Security and Nutrition. The Madrid summit reaffirmed the primary responsibility of States in the realization of the right to food, acknowledged the special problems faced by vulnerable groups, such as women and children, to access adequate food and encouraged States to seek inspiration from the FAO Voluntary Guidelines to Support the Progressive Realization of the Right to Adequate Food in the Context of National Food Security (the "Voluntary Guidelines"). The Special Rapporteur on the right to food will present a follow-up report on the global food crisis to the twelfth session of the Human Rights Council. The report will review the initiatives adopted at the national and international levels to respond to the challenge posed by the global food crisis.

II. The purpose of the interactive thematic dialogue on the global food crisis and the right to food

10. In light of the above, the President of the sixty-third session of the General Assembly convened an interactive thematic dialogue on the global food crisis and the right to food on 6 April 2009, not only to place the global food crisis and the need to address its structural causes back at the top of the international political agenda, but also to guide the initiatives being developed at the international level in order to ensure that they do more than increase the volume of production — that they serve to effectively combat hunger.

11. There is a consensus on the need to take decisive action on establishing an agri-food system that is able to respond to increasing demand, although how this should be achieved remains contested. The efforts described above, particularly the establishment of a new global architecture for agriculture and food, should be grounded in the human right to adequate food, as recognized in international law, in order to ensure that they are guided towards meeting the needs of the most vulnerable and the disempowered.

12. At the 1996 World Food Summit convened in Rome, participants requested that the right to food should be given more concrete and operational content. In 2004, the 187 Member States of the FAO Council adopted the Voluntary Guidelines. During the same period, the Committee on Economic, Social and Cultural Rights adopted its general comment No. 12 on the right to food and the Commission on Human Rights established the mandate of the Special Rapporteur on the right to food.

13. The normative content of the right to food was clarified during that period of time. The recent crisis illustrates the need to move the process forward to concrete implementation. This is urgent. Unless the right to food is placed at the very centre of the efforts of the international community to address the structural causes that have led to the global food crisis, we will repeat the same mistakes. We will produce more, out of fear of producing too little, but we will forget to ask the decisive questions which, because of their political nature, Governments all too often do not want to hear: Whose incomes will rise as a result of increased production? Will the poorest be able to afford the food that is available on the markets? Are safety nets in place to shield the poorest from the impact of high prices? Are stabilizing measures

in place to insure farmers against prices that are too low? Are initiatives being taken to narrow the gap between farmgate prices and prices paid by the consumers, which have increased so significantly over the last few years? Do victims of violations of the right to food have remedies to challenge the actions of Governments and their omissions, which cause such violations? Is food being produced in environmentally sustainable ways?

14. The right to food obliges us to face these questions, and to answer them. The primary obligation of Governments is to collect information on the situation: to map food insecurity and vulnerability; to identify the obstacles to the full realization of the right to food; and to work towards removing these obstacles. Recognition of the right to food allows courts, or other independent bodies such as national human rights institution to monitor the behaviour of Governments and to call upon them to justify their policy choices. The impact of those choices on the realization of the right to food should be systematically assessed. Producing enough food is, of course, essential, and population growth, shifting diet patterns, climate change and increased competition between crops for food, feed and fuel all challenge our future ability to meet the growing demands of the planet. However, that is only part of the equation. It is also essential that all people have access — economic access in particular — to the food that is available.

15. According to the Committee on Economic, Social and Cultural Rights, the right to adequate food is realized when every man, woman and child, alone or in community with others, has physical and economic access, at all times, to adequate food or means for its procurement. It is not about being fed. It is about being guaranteed the right to feed oneself, which requires not only that food be available, but also that every household either has the means to produce its own food or has sufficient purchasing power to buy the food it needs.

III. The composition of the panels for the interactive thematic dialogue

16. In order to provide the States Members of the General Assembly with a complete and well-informed overview of the complex challenges we are facing in the current situation, the interactive thematic dialogue on the global food crisis and the right to food should include high-level experts from different disciplinary fields, including economics, agronomics and agroecology, including the Special Rapporteur on the right to food. The composition of the panels and a detailed programme will be communicated to Member States in the coming week.

17. The questions the experts will be invited to address include the following:

(a) What are the main causes of the large-scale violations of the right to food in a world in which wealth is abundant?

(b) What initiatives should the international community take in order to achieve the target of the first Millennium Development Goal of halving the proportion of people who suffer from hunger and put an end to the violations of the right to food? Specifically, how should the international environment be shaped in order to attain this objective?

(c) Is the current organization of the food production and distribution system equipped to meet the challenge of food insecurity in the future, taking into account, in particular, the impact of climate change on our ability to produce food? In which

direction should agricultural production develop in order to feed the planet, taking into account the increasing demand for agricultural commodities?

(d) Is the global governance of the food production and distribution system adequate to combat hunger effectively? If not, what changes should be recommended?

Professor Olivier De Schutter
Special Rapporteur on the right to food
Office of the United Nations High Commissioner for Human Rights
Special procedures assumed by the Human Rights Council
Geneva